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# Fax

**To:** Examiner Patricia Ann Duffy  
Art Unit: 1645

**From:** Peter I. Bernstein, Esq.  
Registration No.: 43,497

**Fax:** 571-273-8300

**Pages:** 9 (including cover page)

**Phone:** 571-272-0855

**Date:** October 2, 2006

**Re:** David S. Roberts, et al.  
USSN: 09/758,902  
Our Docket: 15470ZYXW (PC9047D)

**CC:**

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Acknowledge**

The following is being filed with the U.S. Patent and Trademark Office via facsimile on October 2, 2006:

1. Amendment Under 37 C.F.R. §1.116
2. Amendment Transmittal in Dupl.
3. Certificate of Facsimile Transmission

**Applicants:** David S. Roberts, et al.  
**Serial No.:** 09/758,902  
**For:** MULTICOMPONENT CLOSTIRDAL VACCINES  
USING SAPONIN ADJUVANTS  
**Filed:** January 11, 2001  
**Docket:** 15470ZYXW (PC9047D)  
**Dated:** October 2, 2006  
**PIB:dg**

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OCT 02 2006

## CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): David S. Roberts, et al.

Docket No.

15470ZYXW (PC9047D)

Application No.

09/758,902

Filing Date

January 11, 2001

Examiner

Patricia Ann Duffy

Group Art Unit

1645

Invention:

MULTICOMPONENT CLOSTRIDAL VACCINES USING SAPONIN ADJUVANTS

I hereby certify that this AMENDMENT UNDER 37 C.F.R. §1.116

(Identify type of correspondence)

is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 571-273-8300)on October 2, 2006

(Date)

Peter I. Bernstein

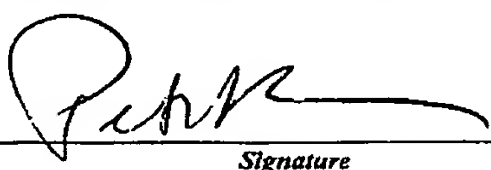
(Typed or Printed Name of Person Signing Certificate)



(Signature)


Note: Each paper must have its own certificate of mailing.

P18/REV02

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. <b>15470ZYXW (PC9047D)</b>	
Applicant(s): <b>David S. Roberts, et al.</b>					
Application No. <b>09/758,902</b>	Filing Date <b>January 11, 2001</b>	Examiner <b>Patricia Ann Duffy</b>	Customer No. <b>23389</b>	Group Art Unit <b>1645</b>	Confirmation No. <b>1327</b>
Invention: <b>MULTICOMPONENT CLOSTRIDAL VACCINES USING SAPONIN ADJUVANTS</b>					
<b>RECEIVED CENTRAL FAX CENTER OCT 02 2006</b>					
<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	2 -	20 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	1 -	3 =	0	x \$200.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>19-1013/SSMP</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>					
 _____ Signature					
<div style="display: flex; justify-content: space-between;"><div><b>Peter I. Bernstein</b> Registration No. 43,497 Scully, Scott, Murphy &amp; Presser, P.C. 400 Garden City Plaza, Suite 300 Garden City, New York 11530 516-742-4343</div><div style="border: 1px solid black; padding: 5px; width: 40%;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence</div></div>					
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P11LARGE/REV10

OCT 02 2006

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					<b>Docket No.</b> 15470ZYXW (PC9047D)	
Applicant(s): David S. Roberts, et al.						
<b>Application No.</b> 09/758,902	<b>Filing Date</b> January 11, 2001	<b>Examiner</b> Patricia Ann Duffy	<b>Customer No.</b> 23389	<b>Group Art Unit</b> 1645	<b>Confirmation No.</b> 1327	
Invention: <b>MULTICOMPONENT CLOSTRIDAL VACCINES USING SAPONIN ADJUVANTS</b>						
<b><u>COMMISSIONER FOR PATENTS:</u></b>						
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.						
<b>CLAIMS AS AMENDED</b>						
	<b>CLAIMS REMAINING AFTER AMENDMENT</b>	<b>HIGHEST # PREV. PAID FOR</b>	<b>NUMBER EXTRA CLAIMS PRESENT</b>	<b>RATE</b>	<b>ADDITIONAL FEE</b>	
<b>TOTAL CLAIMS</b>	2 -	20 =	0	x \$50.00	\$0.00	
<b>INDEP. CLAIMS</b>	1 -	3 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 19-1013/SSMP <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						
 Signature			Dated: October 2, 2006			
<b>Peter I. Bernstein</b> Registration No. 43,497 Scully, Scott, Murphy & Presser, P.C. 400 Garden City Plaza, Suite 300 Garden City, New York 11530 516-742-4343			<div style="border: 1px solid black; padding: 5px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____.</p><p style="text-align:center;">(Date)</p><p style="text-align:center;">_____ Signature of Person Mailing Correspondence</p><p style="text-align:center;">_____ Typed or Printed Name of Person Mailing Correspondence</p></div>			
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P11LARGE/REV10

OCT 02 2006

RESPONSE UNDER 37 C.F.R. §1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1645**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicant(s):** David S. Roberts, et al.**Examiner:** Patricia Ann Duffy**Serial No:** 09/758,902**Art Unit:** 1645**Filed:** January 11, 2001**Docket:** 15470ZYXW (PC9047D)**For:** MULTICOMPONENT  
CLOSTRIDIAL VACCINES  
USING SAPONIN ADJUVANTS**Dated:** October 2, 2006**Confirmation No.:** 1327Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450**AMENDMENT UNDER 37 C.F.R. §1.116**

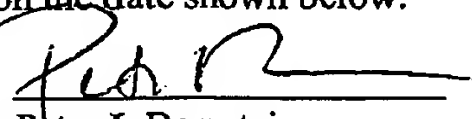
Sir:

In response to the Final Official Action dated July 31, 2006, and in accordance with the provisions of 37 C.F.R. §1.116, Applicants respectfully request entry of the following amendments and remarks in the above-identified case.

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**CERTIFICATION OF FACSIMILE TRANSMISSION**

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**Dated:** October 2, 2006  
Peter I. Bernstein